

REMARKS

Claims 2, 4 and 17 have been canceled without prejudice, and claims 1 and 3 have been amended. Claims 1 and 3 are pending. Reexamination and allowance of the pending claims is respectfully requested.

The Examiner's courtesy in granting the undersigned a phone interview on October 25, 2004. Claims 1 and 3, and proposed amendments to these claims, were discussed during this phone interview.

Claim 1

Independent claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by USP 5,832,244 to Jolley et al. ("Jolley"). This rejection is respectfully traversed.

During the phone interview, the Examiner suggested that Applicant add the limitations of claims 2 and 17 to claim 1. Applicant has followed this suggestion, and respectfully submits that amended claim 1 is now allowable over Jolley.

Claim 3

Independent claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Jolley in view of USP 5,671,355 to Collins ("Collins"). This rejection is respectfully traversed.

During the phone interview, the Examiner suggested that Applicant add the limitations of claim 4 to claim 3. Applicant has followed this suggestion, and respectfully submits that amended claim 3 is now allowable over Jolley and Collins.

In particular, Applicant respectfully submits that Collins cannot be combined with Jolley.

First, Applicant refers the Examiner to the arguments set forth on page 4 of the Amendment dated May 24, 2004.

Second, Jolley requires bus data to generate a bus select signal, while claim 3 specifically recites a micro-controller which selects and generates a bus select signal without receiving bus data from the bus. The Examiner has cited Collins for teaching the selection and generation of a bus select signal without receiving bus data from the bus. However, the Examiner has not explained how a person skilled in the art would be able to consolidate these opposite teachings. For example, if this skilled person started with Jolley (which requires bus data to generate a bus select signal), why would this skilled person want to even consider the teachings of Collins? Similarly, if this skilled person started with Collins (which generates a bus select signal without receiving bus data), why would this skilled person want to even consider the teachings of Jolley? Where is the

incentive to combine? Applicant submits that this incentive is based entirely on impermissible hindsight reconstruction.

* * *

Thus, pending claims 1 and 3 are submitted to be in condition for allowance. The Examiner is encouraged to telephone the undersigned if there are informalities that can be resolved in a phone conversation, or if the Examiner has any ideas or suggestions for further advancing the prosecution of this case.

Respectfully Submitted,



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CERTIFICATE OF MAILING

I hereby certify that this paper and its enclosures are being deposited with the United States Postal service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: November 2, 2004

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